New York, Columbia University, Rare Book and Manuscript Library, Western MS 111

Description: ff. 2-75v - Bound, s. XIX or s. XX ineunte, in dark brown leather over wooden boards, blind stamped with double fillets, compartments filled with very small rosettes and floral stamps, spine with three raised bands, red edges. - On f. 75v, purple stamp of a letter B, encircled (but unidentified). Description of Les Enluminures cites immediate provenance as a private European collection.

Number of Parts: 1 - *Number of Images Available:* 0

Direct Link: http://ds.lib.berkeley.edu/WesternMS111_20

Language: Latin *Country:* Italy *Century:* 15th

Part 1: ff. 2-75v

Description: - Paper - Watermark of an 8-petalled flower similar to Piccard online no. 126711, from Pavia 1447 and 1438. - 323 x 230 - 1 of 10 leaves (1 missing; 2-4 torn; present only 5-7, foliated as 2-4; 8-10 missing) quires 2 – 7 of 10 leaves quire 8 of 10 leaves (-8, -9, -10), with horizontal catchwords in the center lower margin; quire and leaf signatures as a letter and a roman numeral. Ruled with single bounding lines. 39 long lines. Small hole near the middle of the leaves as if a very thin sharp object had pierced the sheets holding them in place. Paginated on every second page in the upper right corner of the leaf (where one normally foliates); foliation in the lower inner corner of each leaf.

Country: Italy
Cardinal point:
Region: Lombardy
City: Pavia
Assigned Date: s. XV^{med}
Searchable Date Range: 1440 - 1460
Dated by scribe: No
Inscribed Date:
Document: No
Number of Scribes: ;

Script: Gothic but with teardrop letter a and round r opening words, and the spacing of humanistic

Other Decoration: 4- to 2-line initials in red; 1-line initial within the text stroked in red; rubrics; paragraph marks

Number of Texts: 7

Text 1: ff. 2-4v

Title: Statutes of the city of Pavia: table of contents for civil statutes

Language(s): Latin

Incipit: //xxxviiii, Qualiter victus victori condmpnari debeat in expensis

Explicit: cxvii <f. 4, torn at this point after the chapter number; one bit of text remains visible on f. 4v:> //vitatem//

Notes: On the surviving leaves, numbered ff. 2-4v: List of chapters for the civil statutes (item 3 in this description), beginning with the heading for Chapter 39, and ending with the end of the last word in the heading of Chapter 132: "Quomodo et qualiter compartiri debeant onera comunis papie tam per cives quam per habitantes foris ipsam Civitatem"; this chapter occurs in the volume on f. 36. Each gathering in this manuscript (except for the final one) has ten leaves, thus we propose that this first gathering was of the same size; each page of this list of chapter headings holds ca. 20 headings, thus we propose the following situation: that possibly four leaves are missing at the beginning of the present chapter list (an opening leaf?; leaves to hold all chapter headings for the government statutes, item 2; to hold 38 chapter headings for the beginning of the civil statutes missing in the present configuration); and we propose that three leaves are missing at the end of the chapter list and the beginning of the first text (to hold 29 chapter headings for the end of the civil statutes; item 3; to hold the beginning of the text of the government statutes, item 2).

Text 2: ff. 5-8

Title: Statutes of the city of Pavia: general statutes

Language(s): Latin

Incipit: //de aliis residentibus in una ex civitatibus proximioribus illi Civitati vel terre in qua questio agitabatur. <next entry:> Qui comissarius ipsam comissionem omnibus iuris remediis statim acceptare cogatur et iurare dei evangelia tactis scripturis quod iuste et recte consulet in causa sibi commissa

Explicit: dantes confidenti predicto auctoritatem omnimodam iuridictionis quam haberet si foret a nobis de hoc speciali dellegatus quod statutum in appellationibus tam Interpositis quam Interponendis locum habere statuimus.

Notes: 29 general statutes concerning government, beginning imperfectly, without headings by the scribe but with informal rubrics added in the margins by a reader; not numbered.

Text 3: ff. 8-43v

Title: i, De ordine mittendi in possessionem tedialem actorem in contumaciam rei. Rubrica Statutes of the city of Pavia: civil statutes

Language(s): Latin

Incipit: Item statuimus et ordinavimus quod si qua persona commune collegium vel universitas citata vel citatum fuerit secundum formam statutorum comunis papie ad suscipiendum libellum seu peticionem et contumax fuerit in veniendo ad suscipiendum dictum labellum seu peticionem

Explicit: clxi, De Immunitatibus forenssium, Rubrica, Item statuiumus quod quicumque vero civis civitatis papie habitans in locis et terris … ab omnibus oneribus realibus, personalibus et mixtis, datiis et gabellis dumtaxat exceptis, Deo Gratias Amen.

Notes: Civil statutes, numbered 1-161: business transactions, problems concerning debt, dowries, property of widows, and other matters of family law, transactions dealing with animals, the conduct of notaries (including Statute 152 on correcting errors made by notaries), water rights; there are references to books in Statutes 106 (f. 32), 125 (f. 34v) and 149 (f. 41r-v): the first is entitled "De libris, cartis et scripturis non robandis [sic]" (whereby books of canon and civil law as well as other books and written materials may not be given as assurances for monies borrowed); the second, "De uno libro faciendo occaxione Incantuum comunis papie" (pertaining to the listing of import taxes); and the third, "De fide adhibenda mercatoribus et eorum libris de eorum debitoribus" (regarding books of records kept by merchants) . On ff. 14v-15, Statute 26, "De feriis et qualiter debeat observari," lists the patron saints of Pavia: Syrus (9 December), Iuventius (12 February), Theodorus (20 May), and Epiphanius (21 January) called jointly "sanctorum et deffensorum [sic] Civitatis papie"; on the same leaf, f. 15, is a reference to the take-over of Pavia in 1359 (after a siege of six months) by the Milanese, and the entrance into Pavia by Galeazzo II Visconti (ca. 1320-1378): "Et die decima septima mensis novembris qua magnificus et excelssus [sic] dominus dominus Galeazzus felicum suum fecit Introitum Civitatis papie et post dies duos" (i.e. the feast is on 17 November and on the two following days); from that date –1359—Pavia belonged to the Duchy of Milan. The statutes of the city of Pavia were printed twice in the incunable period: is00721400 by Antonius de Carcano in 1484, and is00721350 by Leonardus Gerla in 1497; both editions survive in very few copies (none available to us). Here, on f. 8, the manuscript begins modern pagination at the number 1.

Text 4: ff. 44-46

Title: Incipiunt Rubrice statutorum Criminalium Civitatis et Comunis papie Statutes of the city of Pavia: table of chapter headings

Language(s): Latin

Incipit: Primo, i, Quod dominus Potestas papie eiusque Iudex mallefficiorum et quilibet eorum in solidum possint et valeant procedere per viam Inquisitionis ex officio mero denunciationis officialis vel querele in Iuriam passi

Explicit: lxxxv, Quod subscripta statuta non possint nec debeant impetrari sed intelligi ut littera sonat.

Notes: Chapter list of criminal statutes, 1-85.

Text 5: ff. 46v-69

Title: De pena tractantis, facientis vel procurantis publice vel occulte contra honorem et bonum et pacificum statum Magnificorum dominorum nostrorum dominorum domini Galeazzi vicecomitis virtutum comitis et azonis eius nati Civitatis papie eiusque districtus dominorum generalium Statutes of the city of Pavia: criminal statutes

Language(s): Latin

Incipit: Item statuimus et ordinamus quod nulla pars comune collegium vel universitas cuiuscumque condictionis, status, digitatis vel preheminentie existat sit que audeat vel presumat dicto vel facto opera vel consilio vel scriptura tractare vel agere vel facere vel fieri facere

Explicit: Et quod quecumque alia statuta et decreti ab hodie retro facta que non sint descripta in hoc volumine statutorum comunis papie sint et esse Intelligatur quo ad causas, lites seu questiones et negocia futuras et futura cassa et Irrita et pro cassis et Irritis habeantur et teneatur. [space] Deo Gracias Amen.

Notes: Criminal statutes, numbered 1-85, beginning with procedures, and then listing penalties for numerous offences including, for example, murder, sodomy, knowing a nun carnally, theft, using a false name or creating false documents, throwing garbage on the street, keeping more than two pigs in the city, on the equality of laws that mention men being also valid for women, on rape with multiple complicit situations. Two Visconti family members are cited: Gian Galeazzo Visconti (1351-1402) and his son, Azzone II Visconti (d. 1381).

Text 6: ff. 69v-70

Title: Decretum pro Investituris rerum ecclesiasticarum. Quod nulla persona audeat recipere Investituram ab aliqua ecclesia, monasterio vel pro loco ultra Novenium, Rubrica On ecclesiastical investiture

Language(s): Latin

Incipit: Dux Mediolani et cetera, Papie, virtutumque comes ac pisarum, Senarum et Perusii dominus, Non solum dominorum et principum cure Incumbit quantum fuerit possibile providere ne in subditorum bonis ulla Indebita lesio fiat

Explicit: dummodo ecclesie sue condictio non deterioretur ex secunda Investitura, attenta qualitate rei et tempore, quando dictam Investituram in dictum alium fieret, Deo Gratias Amen.

Notes: Canon law text concerning ecclesiastical investiture.

Text 7: ff. 70v-75v

Title: Confessio ordinata per dominum fratrem Bernardinum de senis ordinis Fratrum Minorum et cetera On confession

Language(s): Latin

Incipit: Primo quilibet peccator vel peccatrix volens se proponere ad confessionem elligat sibi confessorem bonum et litteratum Iuxta illud capitulum de penitentiis

Explicit: Tres theologales sunt Fides, Spes et Caritatis. Prima, si fidem bonam non habuit in Credendo illa que mater ecclesia precipit ut sunt duodecim articuli fidei et alia precepta ecclesie//

Notes: An organized guide to confession attributed to Bernardinus of Siena (1380-1444; canonized in 1450 but not termed "saint" here) addressed to the person who wishes to confess (rather than to the priest administering the sacrament), beginning with a short introduction on how to confess, and then proceeding systematically through the ways whereby someone could sin: first, in your thoughts, speech, and what you have done and what you have failed to do in terms of the seven mortal sins, the ten commandments, the seven works of temporal mercy, and the seven virtues. The text ends imperfectly; after listing the three theological virtues (faith, hope, and charity), only the beginning of the section on faith is discussed.

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